

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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United States Court of Appeals  
Fifth Circuit

**FILED**

March 26, 2019

No. 17-40960

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D.C. Docket No. 2:08-CV-16

Lyle W. Cayce  
Clerk

RETRACTABLE TECHNOLOGIES, INCORPORATED; THOMAS J. SHAW,

Plaintiffs - Appellants

v.

BECTON DICKINSON & COMPANY,

Defendant - Appellee

Appeals from the United States District Court for the  
Eastern District of Texas

Before HIGGINBOTHAM, SMITH, and GRAVES, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

It is ordered and adjudged that the judgment of the District Court is affirmed.

IT IS FURTHER ORDERED that each party to bear its own costs on appeal.

JAMES E. GRAVES, JR., Circuit Judge, dissenting.



Certified as a true copy and issued  
as the mandate on May 08, 2019

Attest:

*Lyle W. Cayce*  
Clerk, U.S. Court of Appeals, Fifth Circuit